

60 Rec'd PCT/PTO

10 MAR 1999

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DOCKET NO. 0660-0139-0X PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Shirley LONGACRE-ANDRE, et al.
SERIAL NUMBER: 09/125,031
FILED: 14 August 1998
FOR: RECOMBINANT PROTEIN CONTAINING A C-TERMINAL FRAGMENT
OF PLASMODIUM MSP-1

RESPONSE TO NOTICE OF MISSING REQUIREMENT UNDER 35 U.S.C. 371

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated **October 10, 1998**, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our check in the amount of \$ 1,360.00 is attached hereto. If any variance exists between the amount enclosed, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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09/12503/1
U.S. APPLICATION NO. 09/125,031

THIN
10-15-98



Patent and Trademark Office
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FIRST NAMED APPLICANT

ATTY. DOCKET NO.

LONGACRE-ANDRE

S

0660-0139-0X PCT

INTERNATIONAL APPLICATION NO.

PCT/FR97/00290

I.A. FILING DATE

PRIORITY DATE

02/14/97

02/14/96

DATE MAILED: 10/10/98

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☐ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☒ a non-English language.
☐ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____

☐ Information Disclosure Statement(s) filed _____ and _____

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date. If the annexes are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.492(d)) months from the priority date.

Communication to the United States Patent and Trademark Office must be mailed to the address above. (37 CFR 1.5)

Office MUST be returned with this response.

Notice of Defective Translation

Shelby Vigil

PCT International Division

Telephone: (703)

305-3653

RECEIVED
OCT 15 1998

OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT. P.C.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Shirley LONGACRE-ANDRE, et al.
SERIAL NUMBER: NEW U.S. PCT APPLICATION(based on PCT/FR97/00290)
FILED: HEREWITH
FOR: RECOMBINANT PROTEIN CONTAINING A C-TERMINAL FRAGMENT OF PLASMODIUM
MSP-1

REQUEST FOR CONSIDERATION OF DOCUMENTS
CITED IN INTERNATIONAL SEARCH REPORT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the Form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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